

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 14th day of December, 2005.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: _____

Wendy A. Frick

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Montano, et al.

Serial No.: 09/972,032

Filed: October 5, 2001

For: **MODULATORS OF ANTIESTROGEN
PHARMACOLOGY**

Examiner: Yu, Misook

Art Unit: 1642

Confirmation No.: 2885

Attorney Docket No.: 27708/04003

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE COMMUNICATION

Dear Sir:

During routine review of the PAIR system, Applicants became aware of an Office Communication dated April 21, 2005. To date, Applicants have not received a copy of this Office Communication. Applicants have downloaded a copy of the Office Communication and in response have enclosed Statement Regarding Sequence Listing, Paper Copy of Sequence Listing, Computer Readable Form ("CRF") of Sequence Listing and a copy of the Notice to Comply With Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Customer Number

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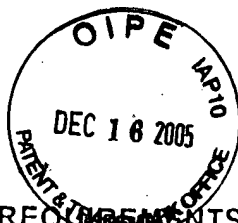
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It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: December 14, 2005

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Application No. 09/972,032

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: SEQ ID NO: 3, and 4 are missing from the Sequence Listing

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE